

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD D. WARNER,

Plaintiff,

vs.

JO ANN B. BARNHART,
Commissioner of the Social Security
Administration,

Defendant.

3:04-CV-0545-LRH (RAM)

**REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE**

This Report and Recommendation is made to the Honorable Larry R. Hicks, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

On March 8, 2006, the court entered its Order Concerning Review of Social Security Cases (Doc. #12). On April 14, 2006, the court noted that Plaintiff had failed to comply with the Order and gave the Plaintiff an additional thirty (30) days to comply (Doc. #14). That mailing was returned to the court, with a notation on the envelope stating "Return to Sender, Unable to forward" (Doc. #15).

The Clerk remailed a copy of the court's order to Plaintiff at the last address he provided to the court: 1244 Carville Drive, #82, Reno, Nevada 89512. Again, that mailing was returned as undeliverable (Doc. #17). It therefore appears that the court is unable to communicate its orders to the Plaintiff. The Plaintiff has failed to advise the court of any change of his address.

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LSR 2-2 provides that:

“The plaintiff shall immediately file with the court written notification of any change of address. The notification must include proof of service upon each opposing party or the party’s attorney. Failure to comply with this rule may result in dismissal of the action with prejudice.”

RECOMMENDATION

IT IS HEREBY RECOMMENDED that the court enter its order dismissing this action for failure of Plaintiff to comply with LSR 2-2 and advise the court of his change of address.

The parties should be aware of the following:

1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of Practice, specific written objections to this Report and Recommendation within ten (10) days of receipt. These objections should be titled “Objections to Magistrate Judge’s Report and Recommendation” and should be accompanied by points and authorities for consideration by the District Court.

2. That this Report and Recommendation is not an appealable order and that any notice of appeal pursuant to Rule 4(a)(1), Fed. R. Civ. P., should not be filed until entry of the District Court’s judgment.

DATED: July 18, 2006.



UNITED STATES MAGISTRATE JUDGE